

09:27:52 1 A. Yeah. I don't get paid for it. I lost my pay for
09:27:56 2 that after these first posts came out, but yes, because I
09:28:01 3 care so greatly about it, I still work on it, but I
09:28:05 4 haven't been paid for it over two-and-a-half years.

09:28:09 5 Q. I'll pass the witness for cross-examination, your
09:28:11 6 Honor.

09:28:22 7 CROSS-EXAMINATION

09:28:22 8 BY MS. HERRING:

09:28:58 9 Q. Mr. Perardi, I'm going to start, talk a little bit
09:29:01 10 more about the divorce proceedings in this case. You said
09:29:06 11 that you and Rachel married in -- back in 2015, October
09:29:11 12 2015?

09:29:12 13 A. Yes.

09:29:12 14 Q. And you separated as of September of '21?

09:29:15 15 A. No. November of '21.

09:29:18 16 Q. November '21 was when you actually filed for divorce,
09:29:22 17 right?

09:29:22 18 A. Yeah, but I was still into the house up until
09:29:26 19 Halloween of that time.

09:29:27 20 Q. Of '21?

09:29:28 21 A. Of '21, yes.

09:29:28 22 Q. And just to be clear, you are the one who initiated
09:29:31 23 the divorce?

09:29:31 24 A. Yes.

09:29:32 25 Q. And that was a six-year marriage?

11:25:24 1 to anybody about it.

11:25:25 2 Q. So from August of '22 forest of that hockey season,
11:25:31 3 your middle son was not in -- was not living in Texas for
11:25:35 4 that season.

11:25:37 5 A. Correct.

11:25:43 6 Q. And he was away from home between the Dallas and the
11:25:46 7 Connecticut for something like was it close to two years
11:25:49 8 total of hockey season time? I understand summer breaks
11:25:53 9 and things.

11:25:55 10 A. Yes. And remember every week I was being told that
11:25:59 11 this was going to end. Every week from the time I met Mr.
11:26:03 12 Youngblood about it, the money was coming back and this
11:26:06 13 was going to end every week.

11:26:07 14 Q. But your middle son is away from home for two years
11:26:13 15 playing hockey.

11:26:14 16 A. Correct.

11:26:21 17 Q. I want to pull up the \$83,000 check that you talked
11:26:26 18 about yesterday. So like the other checks that we've
11:26:41 19 looked at so far, this is another check you've told us you
11:26:46 20 wrote from T.A.P. Development, right?

11:26:48 21 A. Yes.

11:26:48 22 Q. And it's dated July 20th of 2022?

11:26:54 23 A. Yes.

11:27:42 24 Q. You see July 20th, I'm just going to use initials
11:27:56 25 that you write this check to, made out to James Holloway,

11:28:03 1 right?

11:28:05 2 A. Yes.

11:28:15 3 Q. \$83,000 from T.A.P. Development, right?

11:28:27 4 A. Yes.

11:28:27 5 Q. And that's -- we could see a lot of the check that's

11:28:31 6 your Wells Fargo account ending in 7818?

11:28:36 7 A. Yes.

11:28:39 8 Q. And yesterday, you told us that you wrote this check

11:28:51 9 because you got a phone call while you were in Miami?

11:28:55 10 A. Yes, I believe so.

11:28:56 11 Q. Is that your recollection?

11:28:58 12 A. Yes. It's more on the dates that they're cashed that

11:29:03 13 I would know because I was told to write different dates

11:29:05 14 on the checks so can you tell me what date that check was

11:29:10 15 cashed, please?

11:29:11 16 Q. Check was cashed on July 27th.

11:29:13 17 A. Yes, then I wrote it from Miami.

11:29:16 18 Q. When you wrote it, you believed it was needed

11:29:20 19 urgently?

11:29:20 20 A. Same as every check, yes.

11:29:22 21 Q. How did this check get from Miami to James Holloway?

11:29:27 22 A. Fed Ex again.

11:29:32 23 Q. So your testimony is that July 20th is the date you

11:29:37 24 wrote on the check but it's not the date you check wrote

11:29:39 25 the check.

11:29:40 1 A. Correct. I was instructed every time by Mr.

11:29:46 2 Youngblood to put different dates.

11:29:50 3 Q. You said this one was Fed Exed from Miami?

11:29:56 4 A. Yes. Nicole's birthday was the 26th and which were
11:30:00 5 in Miami so that means if it was cashed on the 27th we
11:30:03 6 were still in Miami.

11:30:05 7 Q. So on Nicole's birthday, you and she went to the Fed
11:30:09 8 Ex in Miami to send this check?

11:30:11 9 A. Unfortunately, yes, because that was the day I got
11:30:14 10 called.

11:30:16 11 Q. So you put the date July 20th. You write the check,
11:30:25 12 you're telling us today, July 26th. I'm just trying to
11:30:27 13 understand when this check was written --

11:30:28 14 A. It was over-nighted so if it was cashed on the 27th,
11:30:30 15 then I had to have written it on the 26th.

11:30:32 16 Q. And you didn't provide the FBI with the Fed Ex
11:30:35 17 showing?

11:30:36 18 A. I don't know if I had that one or not but Nicole can
11:30:45 19 corroborate that.

11:30:46 20 Q. I want to talk for a minute about your T.A.P.

11:30:52 21 Development account in July of '22. In June of '22, you
11:30:57 22 had just received the proceeds from the sale one of your
11:31:01 23 investment properties under BCT, is it MOB Partners,
11:31:08 24 Medical Office Building Partners. Do you recall that?

11:31:13 25 A. Yes.

11:31:13 1 Q. Tell us what BCT MOB Partners is.

11:31:17 2 A. It's just a medical office building in Bee Cave,

11:31:20 3 Texas.

11:31:21 4 Q. And you recall selling that property on 6-20 in Bee

11:31:27 5 Caves?

11:31:27 6 A. My investors sold it, yes.

11:31:29 7 Q. And that property sold for -- was it about 23

11:31:32 8 million?

11:31:34 9 A. I don't know. I wasn't involved with the sale.

11:31:38 10 Q. But you got some proceeds from that sale, right?

11:31:41 11 A. Yeah. My distributions, yeah.

11:31:44 12 Q. I want to pull up Exhibit 47. I'm going to just look

11:32:11 13 on June 23rd of '22. You got an influx from the MOB

11:32:20 14 Partners \$849,962 into your T.A.P. Development account.

11:32:26 15 A. Yeah. That's who owned the entity, T.A.P.

11:32:30 16 Development.

11:32:30 17 Q. This is the same account we're talking about that

11:32:32 18 you're writing the checks from, right?

11:32:34 19 A. Yes.

11:32:35 20 Q. And if we go down the bottom by the end of June, it's

11:32:43 21 like you still had a balance in that T.A.P. Development

11:32:45 22 account of over \$500,000. Does that look right?

11:32:49 23 A. Yes. I had to write several checks to businesses

11:32:54 24 after that for a product that never went.

11:33:10 25 Q. I'm going to go forward to the July T.A.P.

11:33:15 1 Development bank statement which is Defendant's Exhibit 7.

11:33:26 2 So you've told us in July that you wrote this check,

11:33:32 3 you've said today now on the 26th of July, right?

11:33:36 4 A. Yes.

11:33:38 5 Q. We saw this bank statement earlier. Looks like the

11:33:45 6 end of July -- I'm sorry, when your statement closed for

11:33:50 7 this period in July, it's not -- doesn't capture all the

11:33:53 8 days in July, you had \$132,000 in that T.A.P. Development

11:33:59 9 account, right?

11:34:01 10 A. Yes.

11:34:07 11 Q. I want to just before we move on from this statement,

11:34:12 12 you talked yesterday about some threats that -- actually

11:34:17 13 we heard phone calls about you and Rachel owing some kind

11:34:21 14 of debt collectively to some -- forget if it was the

11:34:27 15 cartel or a bad actor. Do you recall that?

11:34:29 16 A. I didn't know the debt. I was told by Mr. Drum abide

11:34:35 17 that Rachel owed that debt.

11:34:37 18 Q. There was never a point where you believed that you

11:34:39 19 because of community property concerns also were

11:34:41 20 responsible for her debt?

11:34:42 21 A. To a cartel? I don't think the cartel works that

11:34:47 22 way. I think I would not have owed community property --

11:34:52 23 I don't understand. No, that -- I don't think they gave

11:34:54 24 me a receipt for the death threats of my child.

11:34:59 25 Q. You never thought you owed money to the cartel.

11:35:01 1 A. I gave my money to Mr. Youngblood. He said that he
11:35:04 2 was handling the other cartel to keep me safe. But I
11:35:09 3 never met a cartel person. I only talked to him about the
11:35:13 4 cartel and James Holloway about the cartel and Marvin
11:35:16 5 about the cartel and Gloria about the cartel.

11:35:19 6 Q. And you were never convinced that you were
11:35:21 7 responsible for Rachel's debt somehow.

11:35:23 8 A. Well, I was convinced by Mr. Youngblood that I wanted
11:35:26 9 to keep my daughter Mazzlyn safe -- oh sorry. Didn't want
11:35:30 10 to state my daughter's name. Yes, he told me that I was
11:35:35 11 -- I would keep her safe at that time. I believe that's
11:35:37 12 in.

11:35:38 13 Q. By being responsible for a debt Rachel owed?

11:35:42 14 A. He said he was paying most of it to keep her safe and
11:35:47 15 that that's all I could come up with at the time.

11:35:59 16 Q. So I just want to point out before we move on that
11:36:04 17 looks like on the 27th of June, you made your annual tax
11:36:13 18 payment \$170,000 for you and Rachel. That was your
11:36:17 19 payment to the IRS, right?

11:36:19 20 A. Yeah, but that's actually -- so when I got that
11:36:24 21 \$840,000, it's a payment for the proceeds of that sale.
11:36:27 22 So it's a prepayment tax of the future years. Not that
11:36:32 23 year. I still owed money to the IRS for this year.

11:36:34 24 Q. Exactly but this was -- this 1 \$70,000 payment is a
11:36:39 25 payment to the IRS?

11:36:39 1 A. Yes, for real estate you have to make your payment as
11:36:43 2 soon as you get a distribution for capital gains.

11:36:47 3 Q. So going back to this \$83,000 check, we see on July
11:37:02 4 27th, right, that this check was cashed, right?

11:37:06 5 A. Yes.

11:37:08 6 Q. It's your understanding that James Holloway cashed
11:37:10 7 that check?

11:37:12 8 A. That's who I wrote it to. And Kota called me to
11:37:26 9 confirm that he cashed it.

11:37:28 10 Q. On the 27th.

11:37:30 11 A. I mean.

11:37:31 12 Q. That's what your bank records show, right?

11:37:33 13 A. Oh, yeah. I don't know if he called that day or not.

11:37:54 14 Q. So I want to talk now a little bit about your
11:37:58 15 Washington Federal bank account and the home equity line
11:38:04 16 of credit that we've already heard about yesterday and
11:38:07 17 today and why you opened that account.

11:38:10 18 Did you ever tell Agent Wilkinson that you opened
11:38:14 19 the home equity line of credit because of Mr. Youngblood?

11:38:18 20 A. No.

11:38:22 21 Q. Before you and Rachel separated, you applied for that
11:38:27 22 home equity line of credit.

11:38:27 23 A. Yes.

11:38:29 24 Q. The lender was Washington Federal.

11:38:31 25 A. Correct.

11:38:32 1 Q. And that was done in September of 2021.

11:38:36 2 A. Yes.

11:38:37 3 Q. I'm going to pull up Exhibit 48. This is a copy of
11:38:54 4 the security instrument for that --

11:38:58 5 A. Can we go back up to the top, please? Says borrower
11:39:03 6 Eric J. Perardi.

11:39:05 7 Q. And wife, Rachel Marie Perardi, right?

11:39:08 8 A. But not at the top of that loan.

11:39:12 9 Q. Reading here, borrower is Eric J Perardi and wife
11:39:18 10 Rachel Marie Perardi, right?

11:39:20 11 A. Yep.

11:39:21 12 Q. The lender is Washington Federal, right?

11:39:26 13 A. Yes.

11:39:27 14 Q. And if we look down here, the credit limit this was a
11:39:32 15 home equity line of credit for \$461,322, right?

11:39:36 16 A. Yes.

11:39:37 17 Q. If we go to the last page of it, we can see that
11:39:46 18 Rachel actually had to sign off on this as well a
11:39:52 19 borrower, right?

11:39:52 20 A. Yeah apparently.

11:39:53 21 Q. That was done September 13 of '21.

11:39:56 22 A. Yes.

11:39:56 23 Q. The first -- once this was set up, you could draw on
11:40:18 24 that line of credit over time as needed, right?

11:40:23 25 A. Yes.

11:40:25 1 Q. And when you requested disbursements on that line of
11:40:30 2 credit, you had it set up to get deposited into an account
11:40:34 3 that you've set up also at Washington Federal, right?

11:40:38 4 A. I believe that's the only way I could have the
11:40:41 5 disbursements.

11:40:44 6 Q. So if we look at defendant's 56, you opened an
11:40:52 7 individual account at Washington Federal to receive those
11:40:57 8 disbursements. Does that look right? I believe that's
11:41:00 9 what your telling us. I'm just trying to show you the
11:41:02 10 documents that?

11:41:04 11 A. Yes.

11:41:04 12 Q. Confirm that. And you opened that account, we can
11:41:09 13 see it here, you talked about this banker yesterday,
11:41:12 14 Tandra Stenline, you opened this account in March of '22,
11:41:16 15 right?

11:41:16 16 A. Yes.

11:41:18 17 Q. And you opened it as an individual account as you've
11:41:21 18 said, you were the only one that had access to request
11:41:23 19 disbursements on the home equity line of credit?

11:41:25 20 A. That was per the temporary orders.

11:41:32 21 Q. And you testified yesterday that in July of '22, the
11:41:38 22 only available funds that you had to wire transfer were
11:41:44 23 funds that you would have had to wire transfer from the
11:41:48 24 home equity line of credit to your Wells Fargo account,
11:41:51 25 right?

11:41:53 1 A. I was trying to get money back into my accounts as
11:41:56 2 fast as I could so yes.

11:41:57 3 Q. Do you recall testifying about that yesterday?

11:41:59 4 A. Yes.

11:41:59 5 Q. And that is what you said, right?

11:42:01 6 A. Yes.

11:42:01 7 Q. And you said you told us that Mr. Youngblood had that
11:42:05 8 conversation with you in that specific --

11:42:08 9 A. Yes, he told me that every time I -- that next week
11:42:11 10 the money would be back so don't worry about it, don't
11:42:14 11 worry it, the money's coming back, the money's coming
11:42:17 12 back. That was always --

11:42:17 13 Q. You testified yesterday that you had a specific phone
11:42:21 14 call with Mr. Youngblood while you were in New Orleans
11:42:24 15 discussing that you would have to wire transfer funds
11:42:29 16 pulled from your home equity line of credit.

11:42:30 17 A. I talked to him about having to borrow from my
11:42:34 18 businesses, borrow from lines of credit, all of those
11:42:37 19 things, yes.

11:42:37 20 Q. So you did specifically discuss --

11:42:47 21 A. Yes, I did.

11:42:49 22 Q. I want to talk about your disbursements from your
11:42:52 23 home equity line of credit and how you use them, okay? So
11:42:54 24 once your divorce proceedings began, you could only
11:42:57 25 request disbursements from the line of credit if they were

11:43:01 1 going to be used for authorized expenses, right?

11:43:04 2 A. For lawyers.

11:43:06 3 Q. For lawyers. Authorized expenses?

11:43:08 4 A. Correct.

11:43:09 5 Q. And this was at some point in the divorce, there was
11:43:13 6 a dispute, right, between you and Rachel about whether she
11:43:18 7 wanted access to half the line of credit because she had
11:43:21 8 signed for it as well, right? You recall that being a
11:43:24 9 dispute in your divorce?

11:43:26 10 A. I think on her third lawyers, yes.

11:43:34 11 Q. So I want to just talk briefly, make sure we
11:43:38 12 understand how this money from the home equity line of
11:43:45 13 credit moved, okay? So we have the home equity line of
11:44:13 14 credit and you have just told us that money would get
11:44:15 15 disbursed to this Washington Federal account that was in
11:44:21 16 your name, right?

11:44:21 17 A. Right but I had no checks to that account.

11:44:23 18 Q. I'm just asking you?

11:44:24 19 A. Yes.

11:44:25 20 Q. Where this money went when it was disbursed so it
11:44:28 21 goes to a Washington Federal account and that account
11:44:32 22 number we see at the top ends in 6079, right?

11:44:36 23 A. Yes.

11:44:37 24 Q. So you could request the disbursement, that's where
11:44:40 25 the money would go.

11:44:42 1 A. Yes.

11:44:45 2 Q. And then as you told us, you would have money wired
11:44:53 3 from Washington Federal to Wells Fargo, right?

11:44:57 4 A. Yes.

11:44:58 5 Q. And when you would do that, you would have it wired
11:45:01 6 into your Wells Fargo personal account. That account
11:45:05 7 number that ends in 6673.

11:45:07 8 A. Yeah, it couldn't be wired to T.A.P. Development.

11:45:09 9 Q. So it was wired to your personal account?

11:45:11 10 A. Yes.

11:45:11 11 Q. In Wells Fargo 6673. And then once it reached this
11:45:24 12 account, you could transfer it to another Wells Fargo
11:45:28 13 account, the T.A.P. Development account, right?

11:45:31 14 A. Yes.

11:45:31 15 Q. That's the account that ends in 7818.

11:45:37 16 A. Yes.

11:45:37 17 Q. When you would do that movement between your two
11:45:43 18 Wells Fargo accounts, you had many bank accounts in Wells
11:45:46 19 Fargo, right?

11:45:46 20 A. Yes.

11:45:47 21 Q. That's something you could do probably on an app even
11:45:56 22 but just through Wells Fargo?

11:45:57 23 A. Yes.

11:45:57 24 Q. That's just a bank transfer.

11:45:59 25 A. Correct.

11:46:10 1 Q. And you told us earlier if you remember when we
11:46:12 2 looked at your asset sheet that 6673 at some point in 2022
11:46:19 3 considered a community asset and 7818, separate property
11:46:24 4 asset. Do you recall that earlier?

11:46:26 5 A. That's what they put on the sheet. I think we were
11:46:29 6 assigned accounts separately at the temporary orders.

11:46:35 7 Q. The home equity line of credit was a -- on that
11:46:40 8 sheet, you worked on that with your attorneys in April of
11:46:43 9 '22 -- was a community debt.

11:46:44 10 A. Yes.

11:46:45 11 Q. I want to talk about all the disbursements that you
11:46:54 12 made from that home equity line of credit. I'm going to
11:47:03 13 pull up Defendant's 50. You recollect if you go to the
11:47:28 14 next page, that the first disbursement from that home
11:47:32 15 equity line of credit was actually the day you opened that
11:47:34 16 account March 22nd of '22. We see that here?

11:47:39 17 A. Yes.

11:47:51 18 Q. That was a \$43,000 draw from that line of credit,
11:48:00 19 right?

11:48:01 20 A. Yes.

11:48:01 21 Q. Then you make if we pull up Exhibit 57. We see here
11:48:17 22 not disbursement May 12 of 2022. Do you see that?

11:48:22 23 A. Yes.

11:48:23 24 Q. Shows us here it's money moved from one of your
11:48:32 25 accounts to another of your accounts, right?

11:48:34 1 A. Yes.

11:48:35 2 Q. I believe at the top shows us it's a \$48,000

11:48:46 3 disbursement, right?

11:48:47 4 A. Yes.

11:49:01 5 Q. Then if we keep scrolling down to June. Do you see

11:49:16 6 this next disbursement on June 6th for another 48,000?

11:49:21 7 A. Yes.

11:49:31 8 Q. To be clear at this point, none of this?

11:49:35 9 A. Do you have my Am Ex statement?

11:49:37 10 Q. You didn't provide your credit card statements. I

11:49:40 11 don't have your credit card statements?

11:49:41 12 A. So the only way I could pay for.

11:49:42 13 Q. But I didn't ask you a question about that. We're

11:49:44 14 going to get to that. I'm just going to ask you about

11:49:46 15 this disbursement. At this point, March, May, June, Mr.

11:49:51 16 Youngblood has not asked you for any money, right?

11:49:53 17 A. No. This is for lawyer fees in my divorce.

11:50:12 18 Q. We see this next disbursement, another one if June

11:50:20 19 2022, another 52,000, right?

11:50:24 20 A. Yes.

11:50:25 21 Q. Next one, July 11th, right?

11:50:39 22 A. Yes.

11:50:45 23 Q. 84,000, do you see that?

11:50:49 24 A. Yes.

11:50:49 25 Q. You told us earlier these are for legal fees that

11:50:56 1 you're making these disbursement?

11:50:57 2 A. 84,000 was after I'd written a check to Mr.

11:51:02 3 Youngblood. So the ones before that, yes, for sure.

11:51:07 4 Q. It's your testimony that this wire on July 11th is
11:51:10 5 because of Mr. Youngblood?

11:51:11 6 A. I mean, money had been written out of my account for
11:51:14 7 lawyer fees for the safety of my children. I honestly at
11:51:20 8 that time was just trying to do anything I could to pay
11:51:24 9 all these bills and give him the money that he's
11:51:26 10 requesting to keep my child safe.

11:51:28 11 Q. Is it your testimony that the disbursement on July
11:51:33 12 11th was related to Mr. Youngblood?

11:51:37 13 A. Well, I had just given him a \$70,000 check that I
11:51:40 14 believed he cashed.

11:51:41 15 Q. Is it your testimony that this disbursement is
11:51:43 16 related to Mr. Youngblood?

11:51:44 17 A. Yes. I believe so. I don't know.

11:51:51 18 Q. Yes I believe so, I don't know. Which of those is
11:51:54 19 the answer?

11:52:04 20 A. I was just transferring money from that HELOC to pay
11:52:08 21 my bills for lawyers to pay for money that was requested
11:52:13 22 by him, to pay for moving expenses for Rachel. I mean if
11:52:17 23 we go back to --

11:52:18 24 Q. No, I don't want to go back?

11:52:20 25 A. Okay.

11:52:20 1 Q. I want you the answer the question. Was this money

11:52:23 2 -- is it your testimony today that the disbursement was

11:52:25 3 because of Mr. Youngblood? Yes, no or you don't know?

11:52:29 4 A. I think he had a part to do with that check, yes.

11:52:36 5 It's not specifically just for that check but to cover

11:52:40 6 expenses that I was going through, yes.

11:52:43 7 Q. Not for -- not specifically for that check.

11:52:47 8 A. I don't know.

11:52:52 9 Q. Let's go to the next page. We get to this July 27th

11:52:59 10 wire which we're going to come back to. Do you see there

11:53:03 11 one is for the \$36,000 you testified about this one a

11:53:07 12 little bit yesterday, right?

11:53:08 13 A. Yes.

11:53:09 14 Q. And there's another one in August. So we see August

11:53:49 15 10th, the 48,000, right, that's coming from the home

11:53:53 16 equity line of credit?

11:53:53 17 A. Yes.

11:53:54 18 Q. And we see right here there's another one August

11:54:01 19 16th, right?

11:54:02 20 A. Yes.

11:54:04 21 Q. I think that's the 50,000. And then, I believe the

11:54:14 22 last one is defense Exhibit 51, 9-12, September 12, right,

11:54:47 23 25,000, right?

11:54:48 24 A. Yes.

11:54:49 25 Q. And at that point, the home equity line of credit is

11:54:57 1 I believe pretty close to tapped out, right?

11:54:59 2 A. Yes.

11:55:00 3 Q. It was as you've said an incredibly expensive
11:55:08 4 divorce, right?

11:55:11 5 A. Yes, it keeps going after this.

11:55:15 6 Q. As of January 2023, so yes, it's kept going, you'd
11:55:19 7 spent over \$200,000 on your divorce attorneys. Does that
11:55:24 8 sound about right?

11:55:25 9 A. Yes and probably another 200 on hers.

11:55:28 10 Q. Probably another 200 on hers. You'd spent almost
11:55:31 11 half a million dollars on just attorneys' fees, right?

11:55:34 12 A. Unfortunately, yes.

11:55:40 13 Q. And you used the home equity line of credit to pay a
11:55:45 14 lot of these attorneys' fees?

11:55:46 15 A. Yes.

11:55:56 16 Q. So I want to go back to this July 27th wire transfer,
11:56:03 17 the one that you talked about yesterday. If we pull up
11:56:13 18 defense 52. We can see that you -- this is the Washington
11:56:29 19 Federal record that shows when you requested that
11:56:34 20 disbursement, right, so you did it on July 27th. Looks
11:56:39 21 like the 11:00 in morning; is that right?

11:56:45 22 A. Yes.

11:57:09 23 Q. And when you make this disbursement, it goes -- this
11:57:16 24 is just the record it shows it's landed in the Washington
11:57:20 25 Federal account, right?

11:57:21 1 A. Yes.

11:57:38 2 Q. If you'll pull up Exhibit 2. So going back to your
11:57:43 3 Washington Federal statement, here, we can then see that
11:57:47 4 there was a wire, right, on the same day, domestic wire
11:57:51 5 withdrawal out 7-27, \$36,000, right?

11:57:58 6 A. Yes.

11:58:04 7 Q. And you showed us -- you talked about having to work
11:58:12 8 with your banker, having to actually make the request for
11:58:15 9 a wire to occur, right?

11:58:17 10 A. Yes.

11:58:18 11 Q. That's not something you do on an app on your phone?

11:58:22 12 A. No. I can't do that at that bank.

11:58:37 13 Q. And there is a lag time between when you request a
11:58:42 14 wire and when a wire is completed, right?

11:58:45 15 A. Yeah. They have to get it in by a certain time but
11:58:48 16 yes.

11:59:04 17 Q. You looked at this document yesterday. This is a
11:59:07 18 Government's Exhibit. It's also one of our exhibits,
11:59:09 19 Exhibit 3, and we see here, talked about the banker that
11:59:17 20 you frequently worked with, Tandra Stenline, looks like
11:59:20 21 the wire was initiated at 1:28 p.m. and was finally
11:59:24 22 completed, took about an hour, 2:30 p.m. do you see that?

11:59:29 23 A. Yeah, they're on the west coast so they're three hour
11:59:33 24 -- two hours ahead of us.

11:59:36 25 Q. Two hours behind us.

11:59:38 1 A. Or behind us, sorry, yeah.

11:59:56 2 Q. And this again is that wire into Wells Fargo personal

12:00:03 3 checking 6673, right?

12:00:06 4 A. Yes.

12:00:19 5 Q. And it says here so it's 1:28 p.m., initiated which

12:00:27 6 you're saying is 3:28 p.m., our time?

12:00:31 7 A. Well, Tandra is in Dallas so the other one is the --

12:00:34 8 the 2:29, I imagine, is the one on the west coast of when

12:00:38 9 they actually sent it. I don't know. I wasn't -- I don't

12:00:40 10 work at that bank but I know that it comes out of

12:00:43 11 Washington state.

12:00:48 12 Q. But it looks like by the afternoon of the 27th, that

12:00:52 13 money has been wired into your Wells Fargo account.

12:00:56 14 A. Yes.

12:00:56 15 Q. And this again, this is moving money from your

12:01:04 16 account in Washington Federal to your account at Wells

12:01:10 17 Fargo.

12:01:10 18 A. Yes.

12:01:11 19 Q. Just to look at the July statement we can see that

12:01:34 20 that wire reaches -- this is 6673 account, the 36,000

12:01:39 21 comes in, right?

12:01:40 22 A. Yes.

12:01:41 23 Q. And we even see here, we talked about this yesterday

12:01:46 24 you've gotta pay a fee to do a wire transfer. There's a

12:01:49 25 \$15 charge for that wire.

12:01:51 1 A. Yes.

12:01:57 2 Q. Now, the following day, the 28th, you make a transfer

12:02:03 3 to T.A.P. Development, right, of \$29,000?

12:02:13 4 A. Yes.

12:02:13 5 Q. And that's just a transfer to another Wells Fargo

12:02:27 6 account, right? That's not a wire.

12:02:31 7 A. Correct.

12:02:31 8 Q. You call that for lawyers -- I believe it's for

12:02:51 9 lawyer fees, right?

12:02:53 10 A. That's what I put on the check -- or on that wire,

12:02:57 11 yeah, or transfer, sorry.

12:02:59 12 Q. On the transfer. You're the one who puts a notation

12:03:02 13 in when you?

12:03:03 14 A. Yes.

12:03:04 15 Q. When you move it between your Wells Fargo accounts?

12:03:07 16 A. Yes.

12:03:07 17 Q. I want to show you Defendant's Exhibit 20 already

12:03:18 18 admitted. You told us yesterday, you have experience as a

12:03:24 19 sophisticated businessman with bank record so this is not

12:03:27 20 your record but I want to show you this. Wells Fargo bank

12:03:32 21 account James Holloway, person you wrote the check to

12:03:39 22 7-27, cashes that check, right?

12:03:41 23 A. Yes.

12:03:42 24 Q. He cashed it at 9:32 a.m. central time?

12:03:51 25 A. Yes. I believe he got the Fed Ex that morning.

12:03:55 1 Q. Went right to cash it.

12:03:57 2 A. That was every time I gave him a check, they usually
12:03:59 3 went right to cash them.

12:04:02 4 Q. So I just want to -- making this as you've explained
12:04:10 5 it to us James Holloway cashes your check before you even
12:04:17 6 disburse from your home equity line of credit and before
12:04:22 7 you initiate the wire and before the wire's completed and
12:04:26 8 before you move the money to T.A.P. Development.

12:04:32 9 A. Yes.

12:04:33 10 Q. And the check you wrote to James Holloway was drawn
12:04:36 11 from T.A.P. Development?

12:04:38 12 A. Yes.

12:04:39 13 Q. Money from this wire didn't reach T.A.P. Development
12:04:44 14 until the 28th of July, right?

12:04:46 15 A. Correct.

12:04:54 16 Q. You recall that month, July, you did wrote a almost
12:05:00 17 \$36,000 legal bill to your divorce attorneys?

12:05:07 18 A. If you say so, yes.

12:05:21 19 Q. Your attorney worked for -- I can't say the name NMSB
12:05:27 20 was the short version of the law firm?

12:05:30 21 A. Yeah, Judith Bryant.

12:05:34 22 Q. May I approach, your Honor?

12:05:38 23 THE COURT: You may.

12:05:40 24 Q. (BY MS. HERRING) Do you recognize this legal bill?

12:05:45 25 A. Yeah, looks like all of them. Yes. There's a lot of

12:05:48 1 them.

12:05:48 2 Q. Does it look like an accurate copy of your July 2022
12:05:54 3 legal bill?

12:05:54 4 A. Yes.

12:05:54 5 Q. I would move to admit Defendant's 112.

12:05:58 6 MR. GUESS: No objection, your Honor.

12:05:59 7 THE COURT: So admitted.

12:06:06 8 Q. (BY MS. HERRING) We can see on the last page of this
12:06:12 9 bill you did owe -- the bill was for total amount \$35,235,
12:06:22 10 right?

12:06:22 11 A. To replenish the trust, yes. The bill is 23 it looks
12:06:29 12 like and then you've gotta put 10 back. They always want
12:06:32 13 to put 10 in there.

12:06:33 14 Q. So the July bill was \$35,235.

12:06:36 15 A. Okay. Yeah.

12:06:39 16 Q. Do you see that?

12:06:40 17 A. Yes.

12:06:43 18 Q. I want to talk about another \$36,000 expense that you
12:06:48 19 owed your divorce in July of '22. You told us earlier,
12:06:54 20 you and your attorneys had filed the motion to amend the
12:06:56 21 temporary orders to get Rachel to move out of your house,
12:06:59 22 right?

12:07:00 23 A. Yes.

12:07:02 24 Q. You were hoping to sell the house because you had a
12:07:06 25 lot of debt, a lot of bills at this point.

12:07:08 1 A. Well, I couldn't afford the other house either. So I
12:07:12 2 can't want to sell the house at the time. I just wanted
12:07:15 3 to move back into it with my children.
12:07:17 4 Q. And in fact, you got the temporary orders amended in
12:07:20 5 July of '22 so that Rachel was ordered to vacate the home
12:07:24 6 by August 1st?
12:07:25 7 A. Yes. That was the judge's order.
12:07:28 8 Q. But in exchange for her agreeing to vacate the home,
12:07:33 9 you were ordered to prepay twelve months of rent on a new
12:07:38 10 place for Rachel, right?
12:07:39 11 A. Yeah. I don't think she agreed to it. The judge
12:07:42 12 ruled that but yes. And then, I was asked to pay for an
12:07:46 13 apartment -- or for a house for her.
12:07:49 14 Q. And she found a place out in Spicewood, right?
12:07:52 15 A. Yeah. Yes.
12:07:55 16 Q. And you were in fact ordered to pay exactly \$36,000,
12:08:02 17 right?
12:08:03 18 A. Well, I was ordered to pay for furniture, moving
12:08:07 19 expenses and whatever her bill would be for her apartment.
12:08:14 20 I think it had a certain cap, I'm sure I had to pay first
12:08:19 21 and last month's rent, deposit, I mean, I agreed to
12:08:22 22 whatever it took to help her out.
12:08:30 23 Q. May I approach, your Honor?
12:08:31 24 THE COURT: You may.
12:08:33 25 Q. (BY MS. HERRING) I'll show you a copy of the

12:08:35 1 temporary orders. Do you recognize this as the amended
12:08:39 2 temporary orders entered in July 28th of 2022?

12:08:43 3 A. Yes.

12:08:43 4 Q. Does that look to be the signatures, the accurate
12:08:49 5 copy of your temporary orders from that date?

12:08:55 6 A. Yes.

12:08:56 7 Q. We move to admit Defendant's 110.

12:08:59 8 MR. GUESS: No objection.

12:09:00 9 THE COURT: So admitted.

12:09:02 10 Q. (BY MS. HERRING) So if we go to the second page.

12:09:13 11 When we look at this top section, further ordered that

12:09:19 12 Eric Perardi is authorized to draw against the HELOC and

12:09:22 13 shall prepay 12 months of rent for Rachel Perardi's new

12:09:26 14 residence up to the amount of \$36,000. The parties

12:09:28 15 acknowledge by their signatures below her new residence is

12:09:31 16 located, she said it's in Spicewood, and that Eric Perardi

12:09:35 17 has delivered payment of 36,000 to the landlord as of the

12:09:40 18 date of entry of this order. Do you see that?

12:09:42 19 A. Yes.

12:09:43 20 Q. You were authorized by the court to draw \$36,000

12:09:48 21 against the home equity line of credit for this specific

12:09:51 22 purpose.

12:09:52 23 A. Yes.

12:09:52 24 Q. And you drew \$36,000 on July 27th.

12:10:01 25 A. Yeah. This all happened at the same time. Yes.

12:10:06 1 Q. The wire of \$36,000 matches exactly the amount you
12:10:12 2 were authorized to have wired out of that account by the
12:10:16 3 divorce court.

12:10:17 4 A. Yes.

12:10:31 5 Q. Bring up Defendant's Exhibit 42. This next
12:10:47 6 paragraph, the parties have agreed and acknowledged that
12:10:50 7 Eric Perardi has delivered payment of -- you mentioned
12:10:53 8 this, the security deposit, 3,650, \$800 pet deposit as
12:10:59 9 well to that same -- to the landlord of --

12:11:03 10 A. Yeah, if you scroll down, there's also a \$5,000
12:11:05 11 insurance -- I mean, furniture, as well, I believe, in
12:11:09 12 that same order. No?

12:11:20 13 Q. And you did indeed write a check from T.A.P.
12:11:24 14 Development for a total amount of \$40,450, which we can do
12:11:34 15 on a calculator together or agree is 36,000 plus the
12:11:37 16 security deposit plus the pet deposit to Fort Pedernales,
12:11:43 17 which is the landlord or the property management company
12:11:47 18 of Rachel's new address, right?

12:11:48 19 A. Yes.

12:11:51 20 Q. You also dated this check July 20th of 2022.

12:11:56 21 A. Well, the order, that's when I actually had to send
12:11:58 22 it. The orders were -- yeah, I mean, had to mail it
12:12:03 23 because I was away, I guess.

12:12:05 24 Q. You mailed this check also.

12:12:06 25 A. I believe so. Yes. I was in -- away at that time.